



PATENT
Express Mail No. ER 212707998 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ira Clevenger
Serial No.: 10/713,611
Filed: 11/13/2003
For: APPLE TREE 'FUGACHEE FUJI'
Examiner: S. McCormick Ewoldt, Art Unit 1661
Docket: BR6.P41

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

September 30, 2004

TRANSMITTAL OF AMENDMENT AND RESPONSE TO OFFICE ACTION

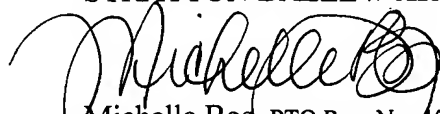
Sir:

In response to the Office Action mailed June 3, 2004, applicant submits herewith an Amendment and Response to Office Action in the above referenced application. Also enclosed are a request for extension of time and the requisite fee for the request.

Any over or under payment of the required fees may be credited or charged to our deposit account no. 50-0269.

Respectfully Submitted,

STRATTON BALLEW PLLC


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AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Please amend the above identified application as described below.